

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

LUIS A. ESTRADA-JIMENEZ,

Petitioner,

v.

BRIAN FOSTER¹, Warden,
Green Bay Correctional Institution,

Respondent.

ORDER

13-cv-570-slc

Before the court is petitioner Luis A. Estrada-Jimenez's motion for reconsideration of this court's November 24, 2015 order denying his petition for a writ of habeas corpus. Dkt. 25. A motion to alter or amend a judgment is proper only when "the movant presents newly discovered evidence that was not available at the time of trial or if the movant points to evidence in the record that clearly establishes a manifest error of law or fact." *Burritt v. Ditlefsen*, 807 F.3d 239, 252-53 (7th Cir. 2015) (quoting *Matter of Prince*, 85 F.3d 314, 324 (7th Cir. 1996)). Having carefully read petitioner's motion in its entirety, I find no reason to reconsider my prior determination. For the most part, the motion is a rehash of arguments he previously made in support of his habeas corpus petition. Petitioner fails to present any newly-discovered evidence that was not before the court when it ruled on the petition and fails to establish that this court committed a manifest error of law or fact. Accordingly, the motion is DENIED.

Entered this 16th day of March, 2016.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge

¹ Brian Foster is the current warden at Green Bay Correctional Institution. Pursuant to Fed. R. Civ. P. 25(d), the court automatically substitutes him for the former respondent, Michael Baenen.